



General Assembly

January Session, 2007

***Raised Bill No. 7408***

LCO No. 6310

\*06310\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING THE RISK ASSESSMENT BOARD, THE  
DISSEMINATION OF REGISTRATION INFORMATION OF SEXUAL  
OFFENDERS AND THE SEXUAL ABUSE OF CHILDREN.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-259a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) There is established a Risk Assessment Board consisting of the  
4 Commissioner of Correction, the Commissioner of Mental Health and  
5 Addiction Services, the Commissioner of Public Safety, the Chief  
6 State's Attorney, the Chief Public Defender, the chairperson of the  
7 Board of Pardons and Paroles, the executive director of the Court  
8 Support Services Division of the Judicial Department and the  
9 chairpersons and ranking members of the joint standing committees of  
10 the General Assembly having cognizance of matters relating to the  
11 judiciary and public safety, or their designees, a victim advocate with  
12 experience working with sexual assault victims and sexual offenders  
13 appointed by the Governor, a forensic psychiatrist with experience in  
14 the treatment of sexual offenders appointed by the Governor and a  
15 person trained in the identification, assessment and treatment of sexual

16 offenders appointed by the Governor.

17 (b) The board shall develop a risk assessment scale that assigns  
18 weights to various risk factors including, but not limited to, the  
19 seriousness of the offense, the offender's prior offense history, the  
20 offender's characteristics, the availability of community supports,  
21 whether the offender has indicated or credible evidence in the record  
22 indicates that the offender will reoffend if released into the community  
23 and whether the offender demonstrates a physical condition that  
24 minimizes the risk of reoffending, and specifies the risk level to which  
25 offenders with various risk assessment scores shall be assigned.

26 (c) The board shall use the risk assessment scale to assess the risk of  
27 reoffending of each person subject to registration under this chapter,  
28 including incarcerated offenders who are within one year of their  
29 estimated release date, and assign each such person a risk level of high,  
30 medium or low.

31 (d) Not later than [February 1, 2007] October 1, 2007, the board shall  
32 submit a report to the joint standing committee of the General  
33 Assembly on the judiciary in accordance with section 11-4a setting  
34 forth its findings and recommendations concerning: (1) Whether  
35 information about sexual offenders assigned a risk level of high,  
36 medium or low should be made available to the public through the  
37 Internet; (2) the types of information about sexual offenders that  
38 should be made available to the public through the Internet which may  
39 include, but not be limited to, (A) the name, residential address,  
40 physical description and photograph of the registrant, (B) the offense  
41 or offenses of which the registrant was convicted or found not guilty  
42 by reason of mental disease or defect that required registration under  
43 this chapter, (C) a brief description of the facts and circumstances of  
44 such offense or offenses, (D) the criminal record of the registrant with  
45 respect to any prior convictions or findings of not guilty by reason of  
46 mental disease or defect for the commission of an offense requiring  
47 registration under this chapter, and (E) the name of the registrant's

48 supervising correctional, probation or parole officer, and contact  
 49 information for such officer; (3) whether any of the persons assigned a  
 50 high risk level by the board pursuant to subsection (c) of this section  
 51 meets the criteria for civil commitment pursuant to section 17a-498; (4)  
 52 whether additional restrictions should be placed on persons subject to  
 53 registration under this chapter such as curfews and intensive  
 54 monitoring on certain holidays; [and] (5) whether persons convicted of  
 55 a sexual offense who pose a high risk of reoffending should be  
 56 required to register under this chapter regardless of when they were  
 57 convicted or released into the community; and (6) whether persons  
 58 determined to be guilty with adjudication withheld in any other state  
 59 or jurisdiction of any crime the essential elements of which are  
 60 substantially the same as any of the crimes specified in subdivisions  
 61 (2), (5) and (11) of section 54-250 should be required to register under  
 62 this chapter.

63 Sec. 2. Subsections (a) and (b) of section 54-255 of the general  
 64 statutes are repealed and the following is substituted in lieu thereof  
 65 (*Effective October 1, 2007*):

66 (a) Upon the conviction or finding of not guilty by reason of mental  
 67 disease or defect of any person for a violation of section 53a-70b, the  
 68 court may order the Department of Public Safety to restrict the  
 69 dissemination of the registration information to law enforcement  
 70 purposes only and to not make such information available for public  
 71 access, provided the court finds that dissemination of the registration  
 72 information is not required for public safety and that publication of  
 73 the registration information would be likely to reveal the identity of  
 74 the victim within the community where the victim resides. The victim  
 75 may at any time petition the court to remove the restriction on the  
 76 dissemination of such registration information and to make such  
 77 registration information available to the public. The court shall remove  
 78 the restriction on the dissemination of such registration information if,  
 79 at any time, the court finds that public safety requires that such  
 80 person's registration information be made available to the public or

81 that a change of circumstances makes publication of such registration  
82 information no longer likely to reveal the identity of the victim within  
83 the community where the victim resides. Prior to ordering or  
84 removing the restriction on the dissemination of such person's  
85 registration information, the court shall consider any information or  
86 statements provided by the victim.

87 (b) Upon the conviction or finding of not guilty by reason of mental  
88 disease or defect of any person of a criminal offense against a victim  
89 who is a minor, a nonviolent sexual offense or a sexually violent  
90 offense, where the victim of such offense was, at the time of the  
91 offense, under eighteen years of age and related to such person within  
92 any of the degrees of kindred specified in section 46b-21, the court may  
93 order the Department of Public Safety to restrict the dissemination of  
94 the registration information to law enforcement purposes only and to  
95 not make such information available for public access, provided the  
96 court finds that dissemination of the registration information is not  
97 required for public safety and that publication of the registration  
98 information would be likely to reveal the identity of the victim within  
99 the community where the victim resides. The victim may at any time  
100 petition the court to remove the restriction on the dissemination of  
101 such registration information and to make such registration  
102 information available to the public. The court shall remove the  
103 restriction on the dissemination of such registration information if, at  
104 any time, it finds that public safety requires that such person's  
105 registration information be made available to the public or that a  
106 change in circumstances makes publication of the registration  
107 information no longer likely to reveal the identity of the victim within  
108 the community where the victim resides.

109 Sec. 3. Subsection (b) of section 17a-101 of the general statutes is  
110 repealed and the following is substituted in lieu thereof (*Effective*  
111 *October 1, 2007*):

112 (b) The following persons shall be mandated reporters: Any

113 physician or surgeon licensed under the provisions of chapter 370, any  
114 resident physician or intern in any hospital in this state, whether or not  
115 so licensed, any registered nurse, licensed practical nurse, medical  
116 examiner, dentist, dental hygienist, psychologist, coach of intramural  
117 or interscholastic athletics, school teacher, school principal, school  
118 guidance counselor, school paraprofessional, school coach, social  
119 worker, police officer, juvenile or adult probation officer, juvenile or  
120 adult parole officer, member of the clergy, pharmacist, physical  
121 therapist, optometrist, chiropractor, podiatrist, mental health  
122 professional or physician assistant, any person who is a licensed or  
123 certified emergency medical services provider, any person who is a  
124 licensed or certified alcohol and drug counselor, any person who is a  
125 licensed marital and family therapist, any person who is a sexual  
126 assault counselor or a battered women's counselor as defined in  
127 section 52-146k, any person who is a licensed professional counselor,  
128 any person paid to care for a child in any public or private facility,  
129 child day care center, group day care home or family day care home  
130 licensed by the state, any employee of the Department of Children and  
131 Families, any employee of the Department of Public Health who is  
132 responsible for the licensing of child day care centers, group day care  
133 homes, family day care homes or youth camps, the Child Advocate  
134 and any employee of the Office of Child Advocate and any person  
135 who services or repairs personal computers.

136 Sec. 4. Section 52-577d of the general statutes is repealed and the  
137 following is substituted in lieu thereof (*Effective from passage and*  
138 *applicable to any cause of action arising from an incident committed prior to,*  
139 *on or after said date*):

140 Notwithstanding the provisions of section 52-577, no action to  
141 recover damages for personal injury to a minor, including emotional  
142 distress, caused by sexual abuse, sexual exploitation or sexual assault  
143 may be brought by such person later than [thirty] forty years from the  
144 date such person attains the age of majority.

145       Sec. 5. Section 54-193a of the general statutes is repealed and the  
 146       following is substituted in lieu thereof (*Effective from passage and*  
 147       *applicable to any offense committed on or after said date and to any offense*  
 148       *committed prior to said date for which the statute of limitations in effect at the*  
 149       *time of the commission of the offense had not yet expired as of said date*):

150       Notwithstanding the provisions of section 54-193, no person may be  
 151       prosecuted for any offense, except a class A felony, involving sexual  
 152       abuse, sexual exploitation or sexual assault of a minor except within  
 153       [thirty] forty years from the date the victim attains the age of majority  
 154       or within five years from the date the victim notifies any police officer  
 155       or state's attorney acting in such police officer's or state's attorney's  
 156       official capacity of the commission of the offense, whichever is earlier,  
 157       provided if the prosecution is for a violation of subdivision (1) of  
 158       subsection (a) of section 53a-71, the victim notified such police officer  
 159       or state's attorney not later than five years after the commission of the  
 160       offense.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	54-259a
Sec. 2	<i>October 1, 2007</i>	54-255(a) and (b)
Sec. 3	<i>October 1, 2007</i>	17a-101(b)
Sec. 4	<i>from passage and applicable to any cause of action arising from an incident committed prior to, on or after said date</i>	52-577d

Sec. 5	<i>from passage and applicable to any offense committed on or after said date and to any offense committed prior to said date for which the statute of limitations in effect at the time of the commission of the offense had not yet expired as of said date</i>	54-193a
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**Statement of Purpose:**

To revise the date that the Risk Assessment Board is required to submit its findings and recommendations to the legislature, to authorize a victim of sexual assault to petition the court to make registration information for certain sexual offenders the dissemination of which had been restricted available to the public, to make persons who service or repair computers mandated reporters of child abuse or neglect and to provide an extended period of time for persons who were sexually abused as children to seek civil remedies or a criminal prosecution.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*